06-28-05

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| TRANSMITTAL  | Application Number     | 09/882,320  June 15, 2001  Carver et al.  3732  Pedro Philogene |  |  |
|--|------------------------|---|--|--|
|  | Filing Date            |   |  |  |
| FORM   | First Named Inventor   |   |  |  |
| (to be used for all correspondence after initial filing) | Art Unit               |   |  |  |
|  | Examiner Name          |   |  |  |
| Total Number of Pages in This Submission                 | Attorney Docket Number | 5490-000216   |  |  |
|  |                        |   |  |  |

| ENCLOSURES (check all that apply)                    |               |  |                                       |               |  |  |  |
|--|---------------|--|---------------------------------------|---------------|--|--|--|
| Fee Transmittal F                                    | -orm          | Drawing(s)   |                                       |               | After Allowance Communication to Technology Center (TC)    |  |  |
| Fee Attached   | İ             | Licensing-r  | elated Papers                         |               | peal Communication to Board of<br>peals and Interferences  |  |  |
| Amendment / Reply                                    |               | Petition   |                                       |               | peal Communication to TC  peal Notice, Brief, Reply Brief) |  |  |
| After Final  |               | _  | Convert to a<br>Application           | ☐ Pro         | oprietary Information                                      |  |  |
| Affidavits/dec                                       | claration(s)  | Power of Attorney, Revocation Change of Correspondence Address   |                                       | Status Letter |  |  |  |
| Extension of Time                                    | e Request     | Terminal Disclaimer  |                                       | Ot<br>(ple    | her Enclosure(s)<br>ease identify below):                  |  |  |
| Express Abandonment Request                          |               | Request for Refund CD, Number of CD(s)   |                                       |               | acknowledgment postcard                                    |  |  |
| ☐ Information Disclosure Statement                   |               |  |                                       |               |  |  |  |
| Certified Copy of Priority Document(s)               |               | Remarks The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 08-0750. A duplicate copy of this sheet is enclosed. |                                       |               |  |  |  |
| Response to Missing Parts/<br>Incomplete Application |               |  |                                       | •             |  |  |  |
| Response to Missing Parts under 37 CFR 1.52 or 1.53  |               |  |                                       |               |  |  |  |
|  | SIGNA         | TURE OF APP  | LICANT, ATTORNEY, O                   | R AGEN        | IT   |  |  |
| Firm or Individual name  Harness, Dickey &           |               |  | Attorney Name<br>C. Richard W. Warner |               | Reg. No.<br>38,043   |  |  |
| Signature  | per an        |  |                                       |               |  |  |  |
| Date   | June 27, 2005 |  |                                       |               |  |  |  |
| CERTIFICATE OF TRANSMISSION/MAILING                  |               |  |                                       |               |  |  |  |

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

| Typed or printed name | Richard W. Warner | Express Mail<br>Label No. | EV 570 164 605 US (6/27/2005) |
|-----------------------|-------------------|---------------------------|-------------------------------|
| Signature             | py n. wy          | Date                      | June 27, 2005                 |

This collection of information is required by 37 CFR The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



## HE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.:

09/882,320

Filing Date:

June 15, 2001

Applicant:

Carver et al.

Group Art Unit:

3732

Examiner:

Pedro Philogene

Title:

Interphalangeal Fusion Pin

Attorney Docket:

5490-000216

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

## **AMENDMENT**

Sir:

In response to the Office Action mailed April 26, 2005, please amend the application as follows and consider the remarks set forth below.

Amendments to the Claims begin on page 2 of this paper.

Remarks begin on page 9 of this paper.